

EXHIBIT H

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELWARE**

SAP America, Inc.

Plaintiff

v.

**Valtrus Innovations Ltd. and Patent
Platform Services, LLC**

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 24-cv-54-GBW

JURY TRIAL DEMANDED

Defendants.

**DECLARATION OF ANGELA QUINLAN IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS OR TRANSFER**

I, Angela Quinlan, declare as follows:

1. I make this declaration based upon my personal knowledge and my investigation of the facts below. If called as a witness, I could and would testify competently to the matters set forth herein. I submit this declaration in support of Defendants' Motion to Dismiss or Transfer pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure in the above-captioned action.

2. I have been the Managing Director of Valtrus Innovations, Ltd. ("Valtrus") since October 23, 2020. I am also Managing Director of Key Patent Innovations, Ltd. ("KPI"), which is Valtrus's parent entity. I reside in Wicklow, Ireland.

3. Valtrus is an Irish entity duly organized and existing under the laws of the Republic of Ireland. Valtrus's principal place of business is at The Glasshouses GH2, 92 Georges Street Lower, Dun Laoghaire, Dublin A96 VR66, Ireland. Valtrus is the successor-in-interest to a substantial portfolio of patents that it acquired in early 2021 from Hewlett-Packard Enterprise ("HPE").

4. Valtrus has no employees in the United States.

5. Valtrus is not registered to conduct business in Delaware; does not have a registered agent for service of process in Delaware; does not have offices, employees, board members, contractors, equipment, bank accounts, or other assets in Delaware; is not subject to and has never paid taxes in Delaware; does not manufacture or sell any products in Delaware; has never granted a post-acquisition license of any patent at issue in the above-captioned case to a company with a principal place of business in Delaware; has not conducted live, in-person meetings in Delaware concerning any of its patents; has not entered into Delaware for any business reason, including for the purpose of signing contracts; and does not own, lease, or rent any property in Delaware.

6. Valtrus has never filed a lawsuit in Delaware. Valtrus's only pending lawsuits in the United States are patent infringement litigations filed in Texas federal courts: (1) patent litigation by Valtrus against Google in the Northern District of Texas (3:22-cv-00066); (2) consolidated patent litigation by Valtrus against Verizon, T-Mobile, and OnePlus in the Eastern District of Texas (2:23-cv-00443 (lead case)); (3) patent litigation by Valtrus against SAP SE and SAP America, Inc. in the Eastern District of Texas (2:24-cv-00021); (4) patent litigation by Valtrus against Digital Realty Trust, Inc. and Digital Realty Trust, L.P. in the Eastern District of Texas (2:24-cv-00139); and (5) patent litigation by Valtrus against Dawn Acquisitions LLC (d/b/a Evoque Data Center Solutions) in the Eastern District of Texas (2:24-cv-00142).

7. Valtrus is a wholly-owned subsidiary of KPI (another Irish entity having a principal place of business at The Glasshouses GH2, 92 Georges Street Lower, Dun Laoghaire, Dublin 6 A96 VR66, Ireland). KPI does not have employees in the United States.

8. KPI contracts with Patent Platform Services LLC (“PPS”), a Delaware entity with a principal place of business in Frisco, Texas, to provide patent licensing and consulting services to Valtrus.

9. In March 2022, I sent a letter to Mr. Christian Klein, CEO of SAP SE in Germany (which I understand to be the parent of SAP America, Inc.), which notified SAP of their patent infringement and provided a list of patents that Valtrus believed SAP infringed. That letter is attached as Exhibit G to the First Amended Complaint. D.I. 7. SAP did not respond. In September 2022, I sent a follow-up letter to Mr. Klein, again requesting a discussion regarding potential licensing terms. That letter is attached as Exhibit H to the First Amended Complaint. D.I. 7. From there, Valtrus, through PPS, continued discussions with SAP and presented evidence of infringement. No Valtrus or KPI employee had discussions with SAP in Delaware or, to Valtrus’s knowledge, involved individuals residing in Delaware.

10. Valtrus also has not participated in any meetings with any of SAP’s customers in Delaware.

12. All of Valtrus’s patents were acquired from HPE, which is based in Texas, and all of the asserted patents in the above-captioned action are from the HPE portfolio.

13. Valtrus acknowledges, agrees and consents, based at least on the above facts, that personal jurisdiction over Valtrus in this matter would be proper in Texas.

* * *

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Angela Quinlan
Angela Quinlan